

FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE
(Rev. 11-2003)TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER

PI4862USW

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR

10/521159

INTERNATIONAL APPLICATION NO.

PCT/EP03/007126

INTERNATIONAL FILING DATE

July 2, 2003

PRIORITY DATE CLAIMED

July 3, 2002

TITLE OF INVENTION

N-Benzyl-3-Phenyl-3-Heterocyclyl-Propionamide Compounds As Tachykinin and/or Serotonin Reuptake Inhibitors

APPLICANT(S) FOR DO/EO/US

ALVARO, Giuseppe; CARDULLO, Francesca; D'ADAMO, Lucilla; PIGA, Elisabetta; SERI, Catia

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371 (c) (2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☒ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☒ A copy of the International Search Report (PCT/ISA/210).

Items 13 to 20 below concern document(s) or information included:

13. ☒ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A change of power of attorney and/or address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
20. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
22. ☒ Express Mail Label No. EV 332064155 US
23. ☒ Other items or information:
 - a) PCT Cover Page
 - b) PCT Request

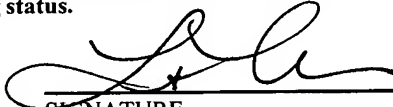
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|---|---------------------|---|-------------|--|----|
| U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.53) 107521159 | | INTERNATIONAL APPLICATION NO. PCT/EP03/007126 | | ATTORNEY'S DOCKET NUMBER PI4862USW | |
| 24. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1080.00 <input checked="" type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$920.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$770.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$730.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 ENTER APPROPRIATE BASIC FEE AMOUNT = | | | | CALCULATIONS PTO USE ONLY | |
| | | | | | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)). | | | | \$0.00 | |
| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | |
| Total claims | 14 - 20 = | 0 | x \$18.00 | \$0.00 | |
| Independent claims | 3 - 3 = | 0 | x \$86.00 | \$0.00 | |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | \$0.00 | |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$920.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. | | | | \$0.00 | |
| SUBTOTAL = | | | | \$920.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)). | | | | \$0.00 | |
| TOTAL NATIONAL FEE = | | | | \$920.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input type="checkbox"/> | | | | \$0.00 | |
| TOTAL FEES ENCLOSED = | | | | \$920.00 | |
| | | | | Amount to be: refunded | \$ |
| | | | | charged | \$ |

- a. ☐ A check in the amount of _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 07-1392 in the amount of \$920.00 to cover the above fees.
- c. ☒ The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 07-1392
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

23347


SIGNATURE

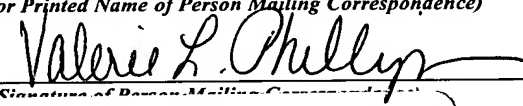
Lorie Ann Morgan

NAME

38,181

REGISTRATION NUMBER

3 Jan 05
DATE

| | | | | |
|---|--------------------------------------|----------|--------------------------------|--|
| CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) | | | Docket No. PI4862USW | |
| Applicant(s): Alvaro et al. | | | | |
| Serial No. To Be Assigned | Filing Date Concurrently Herewith | Examiner | Group Art Unit | |
| Invention: N-Benzyl-3-Phenyl-3-Heterocyclyl-Propionamide Compounds As Tackykinin and/or Serotonin Reuptake Inhibitors | | | | |
| I hereby certify that the following correspondence: <div style="border: 1px solid black; padding: 10px; margin: 10px 0;">National Phase Transmittal w/accompanying papers</div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <div style="display: flex; justify-content: space-between; align-items: flex-end;"><div style="text-align: center;"><u>January 3, 2005</u> <i>(Date)</i></div><div style="text-align: center;"><u>Valerie L. Phillips</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i>  <i>(Signature of Person Mailing Correspondence)</i> <div style="border: 1px solid black; padding: 5px; display: inline-block;">EV332064155US</div> <i>("Express Mail" Mailing Label Number)</i></div></div> | | | | |